

**645—140.3(17A,147,272C) Organization of board and proceedings.**

**140.3(1)** The board is composed of nine members appointed by the governor and confirmed by the senate.

**140.3(2)** The members of the board shall include:

*a.* Four members who shall be licensed nursing home administrators, one of whom shall be an administrator of a nonproprietary nursing home;

*b.* Three members shall be persons who are licensed members of any of the professions concerned with the care and treatment of chronically ill or elderly patients and who are not nursing home administrators or nursing home owners; and

*c.* Two members who are not licensed nursing home administrators or licensed persons under Iowa Code chapter 147 and who shall represent the general public. The members shall be interested in the problems of elderly patients and nursing home care, but shall have no financial interest in any nursing home.

**140.3(3)** The board shall elect a chairperson, vice chairperson, and secretary from its membership at the first meeting after April 30 of each year.

**140.3(4)** The board shall hold at least one annual meeting.

**140.3(5)** A majority of the members of the board shall constitute a quorum.

**140.3(6)** Board meetings shall be governed in accordance with Iowa Code chapter 21, and the board's proceedings shall be conducted in accordance with Robert's Rules of Order, Revised.

**140.3(7)** The professional licensure division shall furnish the board with the necessary facilities and employees to perform the duties required by this chapter, but shall be reimbursed for all costs incurred from funds appropriated to the board.

**140.3(8)** The board has the authority to:

*a.* Develop and implement a program of continuing education to ensure the continued competency of individuals licensed by the board.

*b.* Establish fees.

*c.* Establish committees of the board, the members of which shall be appointed by the board chairperson and shall not constitute a quorum of the board. The board chairperson shall appoint committee chairpersons.

*d.* Hold a closed session if the board votes to do so in a public roll-call vote with an affirmative vote of at least two-thirds if the total board is present or a unanimous vote if fewer are present. The board will recognize the appropriate statute allowing for a closed session when voting to go into closed session. The board shall keep minutes of all discussion, persons present, and action occurring at a closed session and shall tape-record the proceedings. The records shall be stored securely in the board office and shall not be made available for public inspection.

*e.* Investigate alleged violations of statutes or rules that relate to practicing as a nursing home administrator upon receipt of a complaint or upon the board's own initiation. The investigation will be based on information or evidence received by the board.

*f.* Initiate and impose licensee discipline.

*g.* Monitor licensees who are restricted by a board order.

*h.* Establish and register peer reviewers.

*i.* Refer a complaint to one or more registered peer reviewers for investigation and review. The peer reviewers will review cases and recommend appropriate action. However, the referral of any matter shall not relieve the board of any of its duties and shall not divest the board of any authority or jurisdiction.

*j.* Perform any other functions authorized by a provision of law.